

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, July 11, 2018, at 1:30 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, on the following:

Bill No. 2687

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, SECTION 8-2.1(A) AND SECTION 8-4.2(A), AND CHAPTER 10, SECTION 10-5A.7(A), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COMPREHENSIVE ZONING ORDINANCE AND LĪHU'E TOWN CORE URBAN DESIGN DISTRICT

This Bill proposes to amend Chapter 8, Section 8-2.1(a) and Section 8-4.2(a), and Chapter 10, Section 10-5A.7(a) of the Kaua'i County Code 1987, as amended, relating to the Comprehensive Zoning Ordinance and Līhu'e Town Core Urban Design District, by increasing the upper limit of Residential Zoning District designation for the Rice Street Neighborhood Design District from R-20 to R-40.

All interested persons who wish to present their comments may do so at the public hearing. Written testimony prior to the hearing would be appreciated. Written testimony can be submitted to the Office of the County Clerk, Council Services Division by mail, facsimile, or via E-mail to counciltestimony@kauai.gov. Copies of the Bill are available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend this Bill at its subsequent meetings. Meeting notices are posted at least six (6) days in advance at the County Clerk's Office and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bill No. 2687 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on June 13, 2018, by the following vote:

AYES:	Brun, Chock, Kagawa, Kaneshiro, Yukimura	TOTAL – 5,
NOES:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Rapoza	TOTAL – 1.
RECUSED & NOT VOTING:	Kawakami	TOTAL – 1.
Līhu'e, Hawai'i	/s/ Jade K. Fountain-Tanigawa	
June 14, 2018	County Clerk, County of Kaua'i	

NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, SUITE 209, LĪHU'E, KAUAI, HAWAII, 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

(One publication – The Garden Island – June 21, 2018)

ORDINANCE NO. _____

BILL NO. 2687

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, SECTION 8-2.1(A) AND SECTION 8-4.2(A), AND CHAPTER 10, SECTION 10-5A.7(A), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COMPREHENSIVE ZONING ORDINANCE AND LIHU'E TOWN CORE URBAN DESIGN DISTRICT

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. Findings and Purpose. The Council of the County of Kauai finds that there is an urgent need to address the shortage of available housing units on Kauai.

The *Kauai General Plan Updated Socioeconomic Analysis and Forecasts, 2014*, states that in 2014 Kauai had a housing deficit of 1,400 units and a demand that is projected to increase by approximately 9,000 units by 2035.

The *Hawai'i Housing Planning Study, 2016*, states that Kauai will need 5,287 residential units by 2025.

The purpose of this Ordinance is to allow for the additional density of housing units within the Special Planning Area "D" ("SPA-D"), also known as the "Rice Street Neighborhood Design District", included in the Lihu'e Town Core Urban Design District. By increasing the upper limit of the Residential Zoning designation for the Rice Street Neighborhood Design District from R-20 to R-40, the infill development capacity for creating a significantly greater number of residential density factors within the Lihu'e urban town core will essentially be doubled. Furthermore, this Ordinance amends the Comprehensive Zoning Ordinance to reflect the increase in the Residential Zoning District to R-40.

SECTION 2. Section 8-2.1(a) of the Kauai County Code 1987, as amended, is hereby amended as follows:

"(a) Residential—R:

- (1) R-1
- (2) R-2
- (3) R-4
- (4) R-6
- (5) R-10
- (6) R-20
- (7) R-40"

SECTION 3. Section 8-4.2(a) of the Kaua'i County Code 1987, as amended, is hereby amended as follows:

“(a) There are [six (6)] seven (7) residential density districts as follows:

- (1) R-1
- (2) R-2
- (3) R-4
- (4) R-6
- (5) R-10
- (6) R-20
- (7) R-40”

SECTION 4. Section 10-5A.7(a) of the Kaua'i County Code 1987, as amended, is hereby amended as follows:

“(a) Generally Permitted Uses and Structures in SPA-D.

- (1) Accessory uses and structures;
- (2) Art galleries and sales;
- (3) Churches and temples;
- (4) Clubs, lodges and community centers (private);
- (5) Commercial indoor amusement and recreation facilities;
- (6) Convenience store and neighborhood grocery stores with a twenty thousand (20,000) square foot building footprint or smaller;
- (7) Home businesses;
- (8) Hotels and motels not to exceed RR-10 density;
- (9) Household services;
- (10) Light manufacturing, such as handicrafts and garment fabrication;
- (11) Minor food processing, such as cracked seeds, jellies, candies and ice cream with a twenty thousand (20,000) square foot building footprint or smaller;
- (12) Museums, libraries and public services;
- (13) Offices and professional buildings;
- (14) Parking garages/structures;
- (15) Personal services, such as barber and beauty shops, salons, Laundromats, shoe repair shops, etc.;
- (16) Public offices and buildings;
- (17) Public parks and monuments;

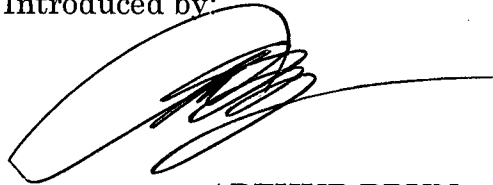
- (18) Restaurants and food services;
- (19) Retail sales and shops with a twenty thousand (20,000) square foot building footprint or less;
- (20) Multiple-family dwellings not to exceed [R-20] R-40 density;
- (21) Single-family dwellings;
- (22) Schools and daycare centers.”

SECTION 5. Severability Clause. If any provision of this Article or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of this Article and the application of such provisions to other persons or circumstances shall not be affected thereby.

SECTION 6. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Kaua‘i County Code 1987, as amended, the brackets, bracketed material, and underscoring need not be included.

SECTION 7. This Ordinance shall take effect upon its approval.

Introduced by:

A handwritten signature in black ink, appearing to read 'ARTHUR BRUN', with a long horizontal line extending to the right.

ARTHUR BRUN

DATE OF INTRODUCTION:

June 13, 2018

Līhu‘e, Kaua‘i, Hawai‘i

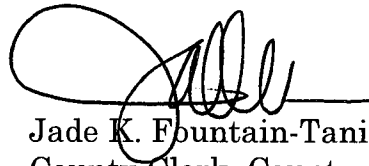
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CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2687, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on June 13, 2018, by the following vote:

FOR PASSAGE:	Brun, Chock, Kagawa, Kaneshiro, Yukimura	TOTAL – 5,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Rapozo	TOTAL – 1,
RECUSED & NOT VOTING:	Kawakami	TOTAL – 1.

Līhu'e, Hawai'i
June 14, 2018



Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i